



Court File No.: CV-24-00713245-00CL

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**(COMMERCIAL LIST)**

THE HONOURABLE ) WEDNESDAY, THE 31<sup>ST</sup>  
 )  
JUSTICE STEELE ) DAY OF JULY, 2024  
 )

**IN THE MATTER OF THE COMPANIES' CREDITORS  
ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED**

**AND IN THE MATTER OF A PLAN OF COMPROMISE OR  
ARRANGEMENT OF BALBOA INC., DSPLN INC., HAPPY  
GILMORE INC., INTERLUDE INC., MULTIVILLE INC.,  
THE PINK FLAMINGO INC., HOMETOWN HOUSING  
INC., THE MULLIGAN INC., HORSES IN THE BACK INC.,  
NEAT NESTS INC. AND JOINT CAPTAIN REAL ESTATE  
INC. (collectively the "Applicants", and each an "Applicant")**

**ORDER**

**THIS MOTION**, made by KSV Restructuring Inc., in its capacity as the Court-appointed monitor of the Applicants (in such capacity, the "**Monitor**") and pursuant to the Order (Expansion of Monitor's Powers) of this Court dated June 25, 2024 (the "**Expanded Powers Order**"), was heard this day at 330 University Avenue, Toronto, Ontario.

**ON READING** the Sixth Report of the Monitor dated July 24, 2024 (the "**Sixth Report**"), the affidavit of Noah Goldstein sworn July 24, 2024 and the exhibits thereto, the affidavit of Ryan Jacobs sworn July 24, 2024 and the exhibits thereto, and such other materials that were filed, and on hearing the submissions of counsel to the Monitor, the Secured Lender Representative Counsel, the Unsecured Lender Representative Counsel, counsel to the Lion's Share Representative, counsel to the DIP Lender, and such other counsel that were present, no else appearing although duly served as appears from the affidavit of service of Stephanie Fernandes sworn July 25, 2024, filed,

## **SERVICE AND DEFINITIONS**

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record is hereby abridged and validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.
2. **THIS COURT ORDERS** that terms used by not defined in this Order shall have the meaning given to them in the Sixth Report.

## **STAY OF PROCEEDINGS**

3. **THIS COURT ORDERS** that the Stay Period (as defined in the Second Amended and Restated Initial Order of this Court dated March 28, 2024) be and is hereby extended until and including August 31, 2024.

## **APPROVAL OF PROPERTY MANAGEMENT AGREEMENT**

4. **THIS COURT ORDERS** that the Property Management Agreement (the “**PMA**”) with Richmond Advisory Services Inc. (“**Richmond**”), substantially in the form attached at Appendix “**C**” to the Sixth Report, be and is hereby approved and the Monitor is hereby authorized and directed, on behalf of the Applicants in accordance with the Expanded Powers Order, to enter into the PMA with such minor amendments as may be acceptable to the Monitor and to perform the Applicants’ obligations under the PMA.
5. **THIS COURT ORDERS** that Richmond shall have no liability for (i) any existing non-compliance with building codes, zoning by-laws, fire codes, electrical safety codes, and any other relevant statutes or regulations in respect of the Property (as defined in the PMA) or (ii) any non-compliance with building codes, zoning by-laws, fire codes, electrical safety codes, and any other relevant statutes or regulations in respect of the Property that was not caused by Richmond.

## **APPROVAL OF MONITOR’S SIXTH REPORT, ACTIVITIES AND FEES**

6. **THIS COURT ORDERS** that the Sixth Report and the activities of the Monitor referred to therein be and are hereby approved; provided, however, that only the Monitor, in its personal capacity and only with respect to its own personal liability, shall be entitled to rely upon or utilize in any way such approval.

7. **THIS COURT ORDERS** that the fees and disbursements of the Monitor and its counsel, Cassels Brock & Blackwell LLP, as set out in the Sixth Report, be and are hereby approved.

**GENERAL**

8. **THIS COURT ORDERS** that this Order shall have full force and effect in all provinces and territories in Canada.

9. **THIS COURT ORDERS** that this Order and all of its provisions are effective as of 12:01 a.m. (Eastern Time) on the date of this Order without the need for entry or filing.



**IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C.  
1985, c. C-36, AS AMENDED**

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**AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF  
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INC., THE PINK FLAMINGO INC., HOMETOWN HOUSING INC., THE MULLIGAN  
INC., HORSES IN THE BACK INC., NEAT NESTS INC. AND JOINT CAPTAIN REAL  
ESTATE INC.**

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(COMMERCIAL LIST)**

Proceeding commenced at Toronto

**ORDER**

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